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## DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **STENT WITH COVER CONNECTORS**, the specification of which was filed in the United States Patent and Trademark Office on September 18, 2000, and assigned application Serial No. 09/664,999.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

This application in part discloses and claims subject matter disclosed in our earlier filed pending application Serial No. 09/522,336, entitled **STENT WITH COVER CONNECTORS**, filed March 9, 2000.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): none

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

09/522,336, filed March 9, 2000.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title

18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

WILLIAM B. ANDERSON, Registration No. 41,585  
VICTORIA L. BREWSTER, Registration No. 43,510  
Y. PING CHOW, Registration No. 30,740  
DEREK P. FREYBERG, Registration No. 29,250  
WALTER KURZ, Registration No. 37,373  
EDWARD J. LYNCH, Registration No. 24,422  
PRISCILLA H. MARK, Registration No. 41,970  
WILLIAM SCHMONSEES, Registration No. 31,796  
HERWIG von MORZE, Registration No. 29,484  
SOODABEH TRONSON, Registration No. 29,484  
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275 Middlefield Road  
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Telephone: (650) 324-7000  
and

GEORGE M. COOPER, Registration No. 20,201  
ERIC S. SPECTOR, Registration No. 22,495  
FELIX J. D'AMBROSIO, Registration No. 25,721  
DOUGLAS R. HANSCOM, Registration No. 26,600  
JIM W. HELLWEGE, Registration No. 28,808  
WILLIAM A. BLAKE, Registration No. 30,548  
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Please direct all correspondence to:

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Tel. No.: (650) 324-7000  
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Full name of First Joint Inventor: Carlos Vonderwalde Freidberg

Executed on the 6 day of February, 2001.

Inventor's Signature: 

Residence: 6231 Dakota Drive, Richmond B.C. - V7C 4X5 CANADA

Post Office Address: (same as above)

Citizenship: Mexico

Full name of Second Joint Inventor: Daniel Capuano

Executed on the 6 day of February, 2001.

Inventor's Signature: 

Residence: Villa de San Marcos 31, Col. Lomas de las Palmas 52720

Huixquilucan, Edo. de Mexico, Mexico

Post Office Address: (same as above)

Citizenship: Mexico

03-05-2001

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U.S. Department of Commerce

Patent and Trademark Office

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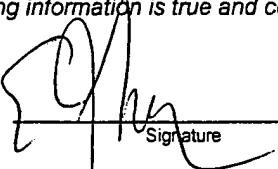


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PATENTS ONLY

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  Carlos Vonderwalde Freidberg Daniel Capuano		2. Name and address of receiving party(ies):  Company: Diseño y Desarrollo Médico, S.A. de C. V. Street Address: San Luis Potosi 96 City/State/Zip: Col. Roma Sur 06700, MEXICO, D.F.
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Change of Name <input type="checkbox"/> Security Agreement <input type="checkbox"/> Merger <input type="checkbox"/> Other:  Execution Dates: February 6, 2001		
4. Application number(s) or patent number(s)  If this document is being filed together with a new application, the execution date of the application is _____		Attorney Docket No. 24079-2000
A. Patent Application No. 09/664,999		B. Patent No.(s): _____
		Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Name and address of party to whom correspondence concerning this document should be mailed:  Name: Edward J. Lynch Company: Heller Ehrman White & McAuliffe LLP Street Address: 275 Middlefield Road City/State/Zip: Menlo Park, CA 94025-3506		6. Total number of applications and patents involved: 1
03/05/2001 GTDN11 00000002 09664999 01 FD:581 40.00 JP		7. Total fee (37 CFR 3.41) \$ 40.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized deficiencies be charged to Deposit Account
		8. Deposit Account Number: 08-1641
DO NOT USE THIS SPACE		
9. Statement and Signature.  To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.		
Edward J. Lynch Name of Person Signing	24,422 Reg. No.	 Signature
		February 15, 2001 Date
Total number of pages including cover sheet, attachments and document: 3		

## ASSIGNMENT

This Assignment is made by Carlos Vonderwalde Freidberg, of Richmond, B.C., Canada, and Daniel Capuano, of Huixquilucan, Edo. de Mexico, Mexico, Assignors, to Diseño y Desarrollo Médico, S.A. de C.V., a Corporation of Mexico, Assignee.

WHEREAS, Assignor has invented a new and useful **STENT WITH COVER CONNECTORS**, for which an application for a United States Letters Patent was filed in the United States Patent and Trademark Office on September 18, 2000, and assigned application Serial No. 09/664,999.

WHEREAS, Assignor believes he is the original, first and sole inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, or Assignor's legal representatives and assignees will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing any Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assignees, to the interest assigned herein to said invention, said application and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the assignment herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assignees, as the Assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the dates written hereinbelow.

Feb 6, 2001  
Date

  
\_\_\_\_\_  
Carlos Monderwalle Freidberg

Feb 6, 2001  
Date

  
\_\_\_\_\_  
Daniel Capuano

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1/17/01 11:35 AM (24079.2000)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of ) Examiner: Not Assigned  
Vonderwalde et al. )  
For: **STENT WITH COVER** ) Group Art Unit: 3731  
                  **CONNECTORS** ) Customer No.: 23422  
                  ) )  
Serial No.: 09/664,999 )  
                  ) )  
Filed: September 18, 2000 ) **ASSOCIATE POWER OF ATTORNEY AND**  
                  ) **CHANGE OF CORRESPONDENCE ADDRESS**  
Docket No.: 9614-1110 )

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Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please recognize as Associate Practitioners in this case:

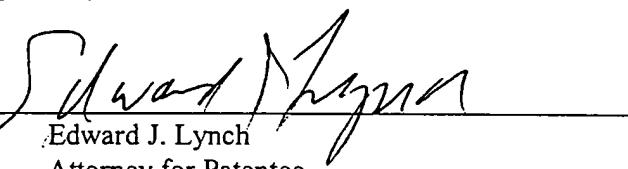
<u>Attorney/Agent</u>	<u>Reg. No</u>	<u>Attorney/Agent</u>	<u>Reg. No.</u>
J. Bruce McCubrey	20,687X	Richard A. Dannells, Jr.	22,654
Donald L. Bartels	28,282	John W. Carpenter X	26,447
David Schnapf	31,566	Keiichi Nishimura X	29,093
Jerry G. Wright	20,165X	James W. Drapinski	46,242
Robert D. Becker	37,778X	Kim Kanzaki X	37,652
Edward J. Lynch	24,422	Daniel D. Tagliaferri	43,178
Hal R. Yeager	35,419	Steven R. Vosen	45,186
James A. Fox	38,455	Priscilla H. Mark X	41,970

Please address future correspondence for this application as follows:

Edward J. Lynch  
COUDERT BROTHERS LLP  
600 Beach Street, 3<sup>rd</sup> Floor  
San Francisco, CA 94109-1312  
**Direct Dial: (415) 351-5681**  
Telephone: (415) 409-2900  
Facsimile: (415) 409-7400

Respectfully submitted,

By:

  
Edward J. Lynch  
Attorney for Patentee  
Registration No. 24,422

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that these papers are being deposited with the United States Postal Service as first class mail with sufficient postage addressed to Commissioner for Patents, Washington, D.C. 20231, on November 19, 2001, in Palo Alto, CA.

*In re the Application of Carlos Vonderwalde Freidberg et al.*  
Serial No.: not assigned  
Filed: herewith  
For: **STENT WITH COVER CONNECTORS**  
HELLER EHRLICH WHITE & MCAULIFFE Docket No.: 24079-2000

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(UNDER 37 CFR §1.9(l) and §1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act  
on behalf of the concern identified below:

**HEWM LLP  
DE-DOCKETED**

**SEP 19 2000**

NAME OF CONCERN: DISEÑO Y DESARROLLO MÉDICO, S.A. de C.V.  
ADDRESS OF CONCERN: San Luis Potosí, #96 Col. Roma Sur, 06700, México, D.F.

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under §41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern has control or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, **STENT WITH COVER CONNECTORS**, by inventors Carlos Vonderwalde Freidberg and Daniel Capuano described in

the specification filed herewith.  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT

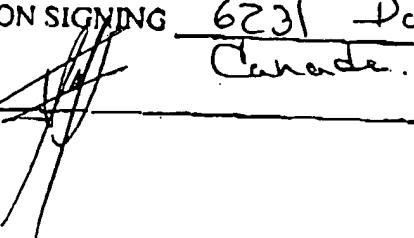
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR §1.28(h)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Carlos Vonderwalde

TITLE OF PERSON SIGNING (OTHER THAN OWNER) R&D Manager

ADDRESS OF PERSON SIGNING 6231 Dakota Dr. Richmond BC. V7C 4X5  
Canada.

SIGNATURE 

DATE September 15, 2000

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